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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/867,727	05/29/2001	Shigeki Kawai	12894/005001/56441-US	6830
27572	7590	09/07/2004	EXAMINER	
HARNESS, DICKEY & PIERCE, P.L.C.			WARE, CICELY Q	
P.O. BOX 828			ART UNIT	
BLOOMFIELD HILLS, MI 48303			PAPER NUMBER	
			2634	

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/867,727

Applicant(s)

KAWAI ET AL.

Examiner

Cicely Ware

Art Unit

2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8 is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☒ Claim(s) 5-7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show:
 - a. Fig. 3, element 30, applicant fails to show the details of the receiver controller output as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

3. Claim 7 is objected to because of the following informalities:
- a. Claim 7, line 1, examiner suggests applicant move this line to Pg. 15 for clarification purposes.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-4 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by IEEE Std 802.11a-1999.

(1) With regard to claim 1, the IEEE Std 802.11a discloses in a decoder device for decoding packet signals composed of control codes and data codes, the control codes including information for decoding the data codes, the decoder device comprising: means for decoding the control codes and for decoding the data codes

based on a plurality of predetermined decoding formulae and generating a plurality of data signals decoded based on the respective decoding formulae; and means for selecting a decoded data signal, from among the plurality of decoded data signals, that is decoded based on a decoding formula corresponding to the decoding information obtained from the control codes (Fig. 123, Fig. 124, Fig. 125, Pgs. 35-37).

It is well known in the art that in a CDMA system when decoding data signals, each signal when encoded has it's own encoding data with respect to it's own encoding algorithm, using it's own control signal and data signal. Therefore when the signals are decoded with their own decoding algorithm, one signal has to be selected from the resulting total of decoded signals so that the correct subscriber or unit is received.

(2) With regard to claim 2, claim 2 inherits all the limitations of claim 1.

(3) With regard to claim 3, claim 3 inherits all the limitations of claim 1. IEEE Std 802.11a discloses in (Fig. 125) further discloses the decoding information is a specified combination of a modulation formula and a coding rate; and the plurality of predetermined decoding formulae is a group of combinations; each combination consisting of a modulation formula selected from a plurality of modulation formulae and a coding rate selected from a plurality of coding rates, one of the combinations corresponding to the specified combination (Fig. 123, Fig. 124, Fig. 125, Pgs. 35-37).

(4) With regard to claim 4, claim 4 inherits all the limitations of claims 1 and 3. IEEE Std 802.11a further discloses means for dividing the packet signals into the control codes and the data codes and generating a plurality of data signals decoded based on the respective combinations (Fig. 124).

Allowable Subject Matter

6. Claims 5-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. Claim 8 allowed.
8. The following is a statement of reasons for the indication of allowable subject matter: The instant application discloses a decoder device for decoding packet signals composed of control codes and data codes, the control codes including information for decoding the data codes. Prior art references show similar methods but fail to teach **“decoding the data code under a plurality of decoding formulae to obtain a plurality of decoded data signals while analyzing the decoded control code”**, as in claim 8.

Conclusion

9. The prior art made record of and not relied upon is considered pertinent to applicant's disclosure:
 - a. Birch et al. US Patent 5,583,562 discloses a system and method for transmitting a plurality of digital services including imaging services.
 - b. Padovani et al. US Patent 6,574,211 discloses a method and apparatus for high rate packet data transmission.
 - c. Hwang US Patent 6,252,907 discloses a demultiplexer and transport decoder employing the same.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cicely Ware whose telephone number is 703-305-8326. The examiner can normally be reached on Monday – Friday, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 703-305-4714. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Cicely Ware

cqw
September 3, 2004


STEPHEN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800